
BILL NO: Senate Bill 17
TITLE: Child Custody - Cases Involving Child Abuse or Domestic Violence – Training
COMMITTEE: Judicial Proceedings
HEARING DATE: January 26, 2022
POSITION: **FAVORABLE WITH AMENDMENTS**

Senate Bill 17 would require a certain number of hours and certain curriculum for judges who will sit on family law cases. The Women’s Law Center of Maryland (WLC) supports this bill with amendments, because while we fully support the concept of training for judges on these important issues, this bill is too directive, even as amended by the Senate, and will create potential problems as time passes.

The WLC supports the concept of judges and magistrates (although not mentioned in this Bill) in court proceedings involving custody being trained on the current science about childhood trauma, ACEs, the effect of violence in the household of children, domestic violence and other things relevant to determinations on what is in the best interests of a child. However, we are opposed to the specifics contained in this bill. Currently the Chief Judge of the Maryland Court of Appeals and the Maryland Rules are responsible for determining what training judges are required to undergo. Our initial testimony suggested that the bill be amended to end after page 2, line 2 and we continue to urge that amendment. As drafted, and amended by the Senate, the specifics in SB 17 are opinion based, despite some revisions in the Senate. Generalizing the topics for inclusion would allow a robust curriculum to be developed without the constraints in the original bill (and as amended by the Senate). For example, instead of page 3, lines 23-25, which infers that local agencies investigating reports of abuse are not doing their jobs, there be language such as “child abuse and child sexual abuse and their investigations.” **We support amendments being proposed by the MSBA Family Law Section Council.**

Furthermore, we have concerns about the proposed §9-101.3, on page 5, regarding the timing for training. The Judiciary itself is well able to craft a training program, including how many hours should be required and what topics to include, all in conjunction with experts in the fields of child abuse and domestic violence. They also need some flexibility in order to be able to have judges available to take family law cases. In jurisdictions with one judge, the requirements on this bill may be difficult enough that the jurisdictions will not have a judge available for periods of time to hear family law cases with child abuse or domestic violence at all. That would be disastrous for families seeking relief from the court.

Therefore, the Women’s Law Center of Maryland, Inc. urges a favorable report on Senate Bill 17 with amendments.

The Women’s Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women.